

**Ohio Department of Agriculture
State of Ohio**

In re:
National Pollutant Discharge Elimination System Permit

**Order No:
NPDES Permit No. :**

Applicant/Facility Name:
Address:

Applicant(s):

Based on Sections 903.08 of the Ohio Revised Code, the Ohio Department of Agriculture hereby identifies NPDES Permit No. _____ for the following Facility:

**Facility Name
Facility Address**

Based upon findings that the Facility is of correct design capacity; that the Facility's Manure Management Plan, and Mortality Management Plan all conform to best management practices; and that the Facility is to be operated in a manner that protects the waters of the state and complies with State and Federal NPDES Permit requirements.

By the authority vested in my office by law, it is hereby

ORDERED:

1. That, a NPDES Permit be issued for **(Facility Name)**.
2. That the NPDES Permit shall expire at midnight on a date five years from the effective date shown below. In order to receive authorization to continue to discharge beyond the date of expiration, the permittee shall apply to renew the NPDES Permit from the Department of Agriculture not later than one hundred eighty days prior to the expiration of the NPDES Permit.
3. That a certified copy of this Order be sent to **(Facility Name)**.

Effective Date of this Order: Upon journalization.

David T. Daniels, Director

Date _____

Entered, Ohio Department of Agriculture Journal this ____ day of **(Month-Year)**

by _____.

NOTICE

This Order may be appealed to the Environmental Review Appeals Commission in accordance with the Revised Code section 3745.04 by filing a notice of appeal with the Environmental Review Appeals Commission within **thirty (30) days** of the date of mailing of this Order. Revised Code section 3745.04 states, in part:

...(B) Any person who was a party to a proceeding before the director of environmental protection may participate in an appeal to the environmental review appeals commission for an order vacating or modifying the action of the director or a local board of health, or ordering the director or board of health to perform an act. The environmental review appeals commission has exclusive original jurisdiction over any matter that may, under this section, be brought before it. However, the director has and retains jurisdiction to modify, amend, revise, renew, or revoke any permit, rule, order, or other action that has been appealed to the commission. The modification, amendment, revision, renewal, or revocation is subject to applicable public participation and public notice requirements and is subject to an appeal under this section or section 3745.07 of the Revised Code, as applicable. Not later than thirty days after the issuance of the modification, amendment, revision, renewal, or revocation, the director shall file with the commission and serve on each party to the existing appeal a statement notifying the commission and the party that the appealed action was revoked or describing how the appealed action was modified, amended, revised, or changed as part of a renewal, as applicable. A party to the existing appeal is deemed to have appealed such a modification, amendment, revision, renewal, or revocation upon filing with the commission and serving on all parties an objection to the modification, amendment, revision, renewal, or revocation. The objection shall be filed with the commission not later than thirty days after the director files the statement with the commission regarding the modification, amendment, revision, renewal, or revocation. The objection shall state any new grounds of appeal resulting from the modification, amendment, revision, renewal, or revocation. The commission shall not charge a fee for the filing of such an objection. ...

(D) An appeal shall be in writing and shall set forth the action complained of and the grounds upon which the appeal is based.

The appeal shall be filed with the commission within thirty days after notice of the action. Notice of the filing of the appeal shall be filed with the appellee within three days after the appeal is filed with the commission. ...

(E) As used in this section and sections 3745.05 and 3745.06 of the Revised Code, “director of environmental protection” and “director” are deemed to include the director of agriculture and “environmental protection agency” is deemed to include the department of agriculture with respect to actions that are appealable to the commission under Chapter 903 of the Revised Code.

CERTIFICATION

STATE OF OHIO

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:

:

COUNTY OF LICKING, SS

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I, David T. Daniels, Director, Ohio Department of Agriculture, do hereby certify that the annexed instrument is a true and correct copy of **ORDER NO.:** which was entered upon the order journal of the Ohio Department of Agriculture on the ____ day of **(Month- Year)**.

In testimony whereof, I have hereunto set my hand and affixed the seal of the Ohio Department of Agriculture at Reynoldsburg, Ohio this ____ day of **(Month-Year)**.

David T. Daniels, Director
Ohio Department of Agriculture